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09/865,802	05/24/2001	John C. Seibel	068082.0111	4516

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EXAMINER

CHANNAVAJALA, SRIRAMA T

ART UNIT	PAPER NUMBER
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2164

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/865,802

**Applicant(s)**

SEIBEL ET AL.

**Examiner**

Srirama Channavajjala

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,5-7,10,11,14-16 and 19-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-7,10,11,14-16 and 19-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to RCE***

1. Claims 1 and 10 have been amended [9/23/2004].
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/23/2004 has been entered
3. Examiner acknowledges applicants amendment filed on 5/3/2004, paper no.10.
4. In view of applicant's submission of terminal disclaimer, paper no. # 12-13, the Double Patent rejection set forth in the previous office action, paper no. # 8 is hereby withdrawn.
5. Examiner acknowledges applicant's "***Oath/Declaration***", filed on 5/3/2004.
6. Claims 3-4,8-9,12-13,17-18 have been cancelled, paper no. # 10.
7. Claims 19-30 have been added, paper no. # 10.
8. Claims 1-2,5-7,10-11,14-16,19-30 are pending in this application.
9. Examiner acknowledges applicants preliminary amendment filed on 9/26/2001, paper no. # 4

### ***Drawings***

10. The drawings filed on 5/24/2001 are approved by the Draftsperson under 37 CFR 1.84 or 1.152,

***Information Disclosure Statement***

11. The information disclosure statement filed on 9/23/2004 is in compliance with the provisions of 37 CFR 1.97, and has been considered, and a copy is enclosed with this Office Action

12. The information disclosure statement filed on 9/26/2001, 10/9/2003, paper no. # 11 has been considered and a copy was enclosed with this office action, paper no. # 14.

13. The information disclosure statement filed on 5/3/2004, paper no. # 6-7 has been considered and a copy was enclosed with this office action, paper no. # 8.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

14. Claims 1,5-7,10,14-16,19-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Alvin, WO 00/23929 published on 27 April 2000.

15. As to Claims 1 and 10, Alvin teaches a system which including 'a database server system, maintained by an application service provider (ASP) for a web-based lead generator system, which generates leads via the internet for potential customers of a business enterprise other than the ASP' [page 8, line 13-33], Alvin teaches application service provider because Alvin specifically suggests for example E-commerce business over online shopping for customer [see page 8, line 27-29], as best understood by the

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examiner application service provider or ASP is a company online shopping provider that offers individuals, customers, corporations or enterprises access over the Internet to applications and related services such as billing, accounting, specialized promotions of products and like that would otherwise have to be located in their own personal or enterprise computers, therefore, Alvin teaches application service provider and related information;

'a profiles generation process for providing customer profile data' [page 9, line 21-25], Alvin specifically teaches customer database, element 710, in the Online shopping system element 20 creating or generating customer accounts as detailed in page 9, line 21-25;

'a data acquisition process for extracting data from the enterprise's internal data sources' [page 8, line 31-33, page 9, line 1-9], 'data sources comprise at least contact data and sales data associated with existing customers of the enterprise' [page 9, line 15-25], Alvin specifically suggests for example electronic catalog, items purchased, customer name, billing address and other relation information is integral part of data source that related to various purchases being made by customers [see page 9, line 15-25], it is also noted that Alvin specifically teaches customer database, sales of products and related customized portfolios based on various purchases;

'a data mart for storing the extracted data' [page 28 fig 1, element 70], Alvin specifically teaches storing various information related to customers, product, order in a specific database that corresponds to storing data in a data mart, 'a query repository for

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storing queries presented to the data mart' [page 9, line 15-21, page 11, line 25-27, page 24, line 7-11],

'a chart repository for storing charts resulting from queries' [page 11, line 18-27], charts corresponds to Alvin's graphs, Alvin specifically teaches various visual presentations of products, data and like [see page 11, line 23-25]; 'wherein each chart represents customer profile data of customers of the enterprises' [page 11, line 15-27], Alvin teaches product information from various sources or enterprises that specifically teaches online shopping system as detailed in system 20, furthermore, it generates catalogs with different visual presentations that including graphics, advertising and like as detailed in page 11, line 23-24;

'a prospects harvester process for searching unstructured internet text sources for harvested leads to prospective customers [page 13, line 3-16] who are discussing, in the text sources, products or services related to the enterprise's business offerings' [page 21, line 27-33, page 22, line 5-12];

'wherein the unstructured internet text source are at least one of the following newsgroups, discussion forums, and mailing lists' [page 21, line 5-12], newsgroups, chat rooms or discussion forums are common knowledge and integral part of Alvin's teaching because Alvin specifically teaches internet business transaction where user or customers and business enterprises are integrated on-line shipping as detailed in fig 1;

'a web server for receiving queries from the enterprise, for processing the queries by determining if any query matches a chart in the chart repository, and if not for generating a new chart in response to the query by accessing the data mart'[page 7,

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line 27-32, page 8, line 21-24, page 11, line 15-27, fig 1]; 'delivering either a chart from the chart repository or the new chart to the enterprise via a web browser' [page 11, line 20-27], Alvin specifically teaches dynamically displaying various visual presentations that including graphics, advertisements and like;

'wherein the web server is further operable to cross reference the customer profile data with the harvested leads and to provide results of the cross referencing to the enterprise via the web browser' [page 23, line 31-33, page 24, line 20-27, fig 1], cross referencing to the enterprise corresponds to customer account has been connected to other related information such as purchasing, order processing, billing, customer service, fraud detection and like as detailed in fig 1

'wherein profiles generation process, the prospects harvester process, [page 13, line 3-18] the data mart [page 5, line 28-33], the chart repository [page 11, line 20-24], and the web server are operated as a system by the ASP on behalf of the enterprise' [page 8, line 13-33, fig 1,4]

16. As to Claim 5 and 14, the limitation of this claim has been noted in the above rejection claims 1,10. In addition, Alvin disclosed 'internal data sources are from contact management software operated by the enterprise' [page 21, line 15-26], customer service is one of the part of contact management because Alvin teaches specifically on-line E-commerce.



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17. As to Claim 6 and 15, the limitation of this claim has been noted in the above rejection claims 1,10. In addition, Alvin disclosed 'internal data sources are from accounting software operated by enterprise' [page 9, line 21-25,page 24, line 20-27].

18. As to Claim 7 and 16, the limitation of this claim has been noted in the above rejection claims 1,10. In addition, Alvin disclosed 'internal data sources are from ERP (enterprise resource planning) software operated by the enterprise' [page 5, line 28-33, page 6, line 1-10], As best understood by the examiner, enterprise resource planning, a business management system that integrates all facets of the business, including planning, manufacturing, sales, and marketing, further ERP methodology help business managers implement ERP in business activities such as inventory control, order tracking, customer service, finance and human resources is part of Alvin's teaching.

19. As to Claim 19 and 25, the limitation of this claim has been noted in the above rejection claims 1,10. In addition, Alvin disclosed 'query repository for storing predefined queries, and wherein the web server processes queries to determine if they match any of the stored predefined queries' [page 18, line 10-21].

20. As to Claims 20 and 26, the limitation of this claim has been noted in the above rejection claims 1,10. In addition, Alvin disclosed 'charts are in a format from the group of pie charts, bar charts, map views, or data views' [page 11, line 21-24], displaying various graphics for different visual presentations for example that including various formats, colors, fonts, and like.

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21. As to Claims 21 and 27, the limitation of this claim has been noted in the above rejection claims 1,10. In addition, Alvin disclosed 'web server delivers output to a customer profiles process maintained by the application service provider' [page 6, line 23-27, page 7, line 33-34, page 8, line 1-2], Alvin specifically teaches customer database that stores various customer profile such as customer accounts, billing information [see page 9, line 21-25].

22. As to Claims 22 and 28, the limitation of this claim has been noted in the above rejection claims 1,10. In addition, Alvin disclosed 'queries to determine if they are drill down requests' [page 9, line 28-31], as best understood by the examiner, Drilling down into increasingly specific data is a common user task for example querying status of previous orders, returned merchandise and like as detailed in page 9, line 28-31.

23. As to Claims 23-24 and 29-30, the limitation of this claim has been noted in the above rejection claims 1,10. In addition, Alvin disclosed 'user profiles database for storing query preferences of the enterprise' [page 9, line 21-25].

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

24. Claims 2 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alvin, WO 00/23929 published on 27 April 2000 as applied to claims 1 and 10 above, and further in view of Bakalash et al., [hereafter Bakalash], US Patent No. 6434544.

25. As to Claim 2 and 11, the limitation of this claim has been noted in the above rejection Claim 1,10, however, Alvin does not specifically teach 'OLAP'. On the other hand, Bakalash disclosed 'OLAP' [see Abstract, fig 1,7, col 6, line 56-65, col 8, line 48-58].

It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Bakalash et al into Dynamic selection of multiple distributors of Alvin because both Alvin and Bakalash are directed to on-line information, more specifically both are directed to on-line electronic commerce [see Alvin: fig 1, Abstract; Bakalash: Abstract, fig 1,7] and both are in the same field of endeavor. One of ordinary skill in the art at the time of applicants' invention to modify Alvin's reference, more specifically fig 1 to incorporate on-line analytical processing or OLAP operations of Bakalash fig 7 because that would have allowed users of Alvin's

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dynamic selection of multiple distributors for transaction process to support autonomic segments to minimize the amount of simultaneously handle data, further satisfying aggregation process that monitors dynamically set the roll-up order as suggested by Bakalash [see col 16, line 18-28], thus improving quality of data and performing fast on-the-fly aggregation in multidimensional data.

### ***Response to Arguments***

26. Applicant's arguments filed 9/23/2004, with respect to Claims 1-2,5-7,10-11,14-16,19-30 have been fully considered but they are not persuasive, for examiner's response, see discussion below:

a) At page 8, claims 1 and 10, applicant argues that Alvin does not teach providing customer profile data to a business enterprise in response to queries communicated by the business enterprise, via a web browser to an ASP system'

As to the above argument [a], Alvin is directed to Internet business transaction, more specifically dynamic distribution selection process [see Abstract], Alvin also teaches customer database, element 710, in the Online shopping system element 20 creating or generating customer accounts as detailed in page 9, line 21-25, furthermore, customer can access, customize portfolios, and responsive to the queries of various distributor data, continuously obtain real-time status of each item or product offered in the business enterprise as detailed in page 10, 29-33, page 11, line 1-3.

b) At page 8, claim 1 and 10, applicant argues that "the Internet access of Alvin is by the customers themselves, whereas the present invention is an ASP system in which the business enterprise conducts the Internet access to use the system'

As to the above argument [b], As best understood by the examiner, Alvin teaches both customers and business enterprise utilize internet access to conduct online shopping [see Abstract, fig1], further, it is also noted that business enterprises provides applications service where user-specific information allowed to create using specific criteria that related to shopping or specific product or catalog of mixed products as detailed in page 11, line 28-33, page 12, line 1-5].

c) At page 9, claim 1 and 10, applicant argues that "Alvin does not teach or suggest a customer lead generation system having both a profile generator and a prospects harvester'

As to the above argument [c], examiner disagree with the applicant because, Alvin specifically teaches customer lead generation that including customer name, billing address, telephone umber, email address and like and is stored in the customer database element 710 as detailed in fig 1, furthermore, customer accounts are used to generate customized portfolios that typically based on purchase behaviour that corresponds to generating the prospects harvester because that not only captures

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customers habits, but also provides product demand, incentives, promotions and like as detailed in page 9, line 21-33, page 10, line 1-3]

Examiner applies above discussed arguments to the dependent claims 2,5-7,11,14-16,19-24,25-30.

### ***Conclusion***

#### **The prior art made of record**


- a. US Patent No. 6434544
- b. WO 00/23929


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is 571-272-4108. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popvici, can be reached on 571-272-4083. The fax phone numbers for the organization where the application or proceeding is assigned is 703/872-9306

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

sc   
Patent Examiner.  
December 23, 2004.

  
SRIRAMA CHANNAVAJJALA  
PRIMARY EXAMINER